



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

Matter of: Event Audio Services

File: B-256860

Date: April 11, 1994

DECISION

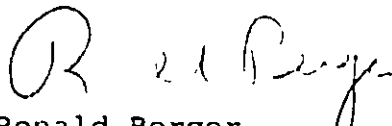
Event Audio Services protest the award of a contract for sound services at the 1994 MCAS El Toro Air Show.

We dismiss the protest because we have no jurisdiction over procurements issued by a United States Marine Corps nonappropriated fund activity since it is not a federal agency. Our bid protest jurisdiction is limited to procurements of federal agencies. 31 U.S.C. § 3551 (1988); 4 C.F.R. § 21.1(a). A federal agency is:

"any executive department or independent establishment in the executive branch, including any wholly owned government corporation, and any establishment in the legislative or judicial branch, except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction." 4 C.F.R. § 21.0(c).

A nonappropriated fund activity of the government is not a federal agency as that term is used in the law authorizing our bid protest review role. 4 C.F.R. § 21.3(m)(8). Since the entity here is not a federal agency, we are without jurisdiction to consider the protest. Centex Constr. Co., Inc., Mar. 7, 1990, 90-1 CPD ¶ 256.

The protest is dismissed.


Ronald Berger
Associate General Counsel